



American Mobile

EX PARTE OR LATE FILED

~~DUPLICATE~~

April 27, 1999

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VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
TW-B204
Washington, D.C. 20554

RECEIVED

APR 27 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Rm-7931

Re: Written *Ex Parte* Presentation
File Nos. 47-SAT-WAIV-97; 548-SSA-97(50); 1281-DSE-P/L-96
(Call Sign E960327); JTC-95-341; IB Docket No. 96-111, CC Docket
No. 93-23, RM-7931; CC Docket No. 87-75; IB Docket No. 95-41; 730-
DSE-P/L-98; 647-DSE-P/L-98; 1217-SSA-98

Dear Ms. Salas:

Attached is a letter filed today with the Commission describing special coordination meetings held during the week of January 25-28, 1999 between the MSS operators subject to the North American Memorandum of Understanding ("MOU"). The attached letter corroborates AMSC's position that there are numerous unresolved issues relating to the international coordination process in the MSS L-band. The special January meetings addressed the need to coordinate a new Japanese MSS system seeking 2 MHz of spectrum in the L-band, Inmarsat's continuing use of inefficient Standard A MSS terminals and global beams, and whether to monitor operators' spectrum usage. The continuing instability of this coordination process underscores the need for reasoned policymaking by the Commission in its domestic spectrum management of the L-band, where the Commission has long held that there is only enough spectrum for one domestic MSS system.

Very truly yours,

Lon C. Levin

cc: Daniel Connors Paul Misener
Jennifer Gilsenan Susan Steiman
Karen Gulick Peter Tenhula
Linda Haller Cassandra Thomas
Ari Fitzgerald Thomas Tycz
Fern Jarmulnek



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Re: **SECTION 0.459 CONFIDENTIALITY REQUEST**
The Extraordinary Procedures Meeting of GSO/MSS Operators
Subject to the North American MOU Agreement, January 26-28, 1999;
The Third and Fourth Meetings Between MTSAT and AMSC for Coordination of
Frequency Assignment to MTSAT and AMSC-1

Dear Ms. Salas:

During the week of January 25-28, 1999, AMSC Subsidiary Corporation ("AMSC") participated in special meetings with the Geostationary ("GSO") Mobile Satellite Service ("MSS") Operators subject to the North American Memorandum of Understanding ("MOU") and the 1999 Operating Agreement for Geostationary Mobile Satellite Systems Operating in the Bands 1525-1544/1545-1559 MHz and 1626.5-1645.5/1646.5-1660.5 MHz (the "Agreement"). The purpose of these meetings was to consider a number of issues that were not addressed sufficiently at the Third Annual L-band Geostationary Satellite Operators Meeting in June 1998.

The meeting participants first considered procedures for accommodating the operations of new systems such as MTSAT, the new Japanese MSS system planned to be launched in August. (The Japan Civil Aviation Bureau ("JCAB") and the Japan Radio Air Navigation Systems Association ("JRANSA") also participated in the first day of these meetings on behalf of the Japanese administration.) Alternative options for accommodating new systems were discussed. Under one option, a spectrum share would be identified and offered either bilaterally or collectively to a new system, with or without a condition that the new system join the MOU. Alternatively, a new system could join the MOU, prior to the development of the Spectrum Sharing Agreement, which would include the new network. The meeting participants agreed to consult with their home administrations regarding the appropriate mechanism for accommodating new systems, and AMSC hopes to meet with Commission representatives regarding this matter

prior to the next multilateral operators meeting in July 1999.

In addition to these multilateral meetings, on January 14, 1999 and March 26, 1999 AMSC held its third and fourth meetings with JCAB/JRANSA. The purpose of these bilateral meetings was to specify the interference potential between AMSC's system and MTSAT and work towards a bilateral coordination of these systems.

The meetings concerning MTSAT highlight the extremely tenuous state of coordination in the MSS L-band. The Japanese are seeking approximately 2 MHz of spectrum in the L-band for their system, at a time when all of the North American regional operators are pointing to growth in the demand for their services. The need to coordinate the operations of the Japanese system only exacerbates the existing spectrum shortage in the L-band.

The special meeting also addressed several other unsettled coordination issues. The participants discussed Inmarsat's continuing use of Standard A MSS terminals and global beams, which do not utilize spectrum efficiently and hinder AMSC's efforts to gain access to its 10 MHz of licensed spectrum. Inmarsat addressed the current and future operation of these system elements, and indicated that at this time it could not agree to any specific program for the reduction of Standard A terminals. In response, the other operators requested that Inmarsat present a timetable for such reduction at the next operators' meeting. The meeting participants also discussed the need for participating operators to substantiate and justify their stated spectrum requirements with specific information, and the potential for monitoring spectrum usage as a method for verifying operators' spectrum needs. There were no conclusions reached on these substantiation and verification issues, and they will be addressed again at the next operators' meeting.

Thus, the special January coordination meetings did not yield any effective approach for alleviating the spectrum shortage in the MSS L-band, which continues to worsen. The instability of this coordination process underscores the need for reasoned policymaking by the Commission in its domestic spectrum management of the L-band, where the Commission has long held that there is only enough spectrum for one domestic MSS system.

AMSC hereby submits copies of the summary records of these meetings. AMSC requests confidential treatment of these materials, due to their relevance to sensitive issues concerning the international coordination process for the MSS L-band. AMSC asks that, accordingly, the Commission withhold these summary records from public inspection under Section 0.459 of the Commission's rules and instead place this request for confidentiality in the public file for AMSC's authorized space station, AMSC-1.

Ms. Magalie Roman Salas

April 27, 1999

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If you have any questions concerning this matter, please contact the undersigned or Bruce D. Jacobs, Esq., of Fisher Wayland Cooper Leader & Zaragoza, L.L.P., at (202) 775-3543.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lon C. Levin", with a stylized flourish at the end.

Lon C. Levin

cc: Tom Tycz
Harry Ng